

REMARKS

Claim 23 is objected to because of the following informalities: the last line of the claim states "period of time period of time." Claim 23 has been amended to correct the cited informality, specifically to remove one of the two occurrences of "period of time." It is respectfully requested this objection be removed.

Claims 1, 7, 20, 24, 27, and 30 have been amended to recite a user initiated event to further clarify the inherent origin of the event. The term "initiated" is supported throughout the Specification as filed and may be found in examples such as the one described in paragraph 41.

Paragraph 29 has been replaced to correct a minor typographical error. Accordingly, no new matter has been added.

35 U.S.C. 102 Claim Rejections

Claims 1-8, 10-27, and 29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,396,635 by Fung (hereinafter "Fung"). Fung describes a computer power management system in which an activity monitor monitors the activity of the computer system including storing call values for call functions and preset activity threshold values for the various states of operation (e.g., on, doze, sleep, and off). An algorithm is employed in the form of power management software to compare the accumulated call values to the preset activity threshold values to determine whether to remain in an active mode or be switched to a conservation mode. In other words, an algorithm cooperating with preset threshold values determine whether to switch from a higher performance state to a lower performance state. In contrast, claim 1 recites "detecting a user initiated event" and "directly transitioning the integrated circuit from the first state of performance to the third state of performance based upon detecting the user initiated event." Fung is silent regarding detecting for a

user initiated event. If a reference does not discuss a limitation, then the reference can not disclose that limitation.

Furthermore, Fung's description of its power management software, particularly those passages cited by the Examiner (col. 3, ln. 12-21 and 32-38), only discuss transitions from a higher performance state to a lower performance state or active mode to conservation mode (see also col. 3 ln 54-63, specifically describing transitions based on sensing inactivity). Conversely, the present claims recite transitioning from a first state of performance to a third state of performance based upon detecting the user initiated event (activity), wherein the third state of performance is higher than the first state of performance.

Therefore, for at least the reasons stated above, independent claim 1 is not anticipated by and is patentable over the cited art, Fung.

Given that claims 2-6 depend from and include the limitations of claim 1, applicants submit that claims 2-6 are not anticipated by Fung under 35 U.S.C. § 102(b).

Likewise, independent claim 7, as amended, includes the limitation "transition the first integrated circuit from the first state of performance to the third state of performance based upon detecting a user initiated event." As discussed above, Fung does not disclose transitioning the first integrated circuit from the first state of performance to the third state of performance based upon detecting a user initiated event. Thus, applicant submits that independent claim 7 is not anticipated by Fung under 35 U.S.C. § 102(b).

Given that claims 8-19 depend from and include the limitations of claim 7, applicants submit that claims 8-19 are not anticipated by Fung under 35 U.S.C. § 102(b).

Likewise, independent claim 20, as amended, includes the limitation "directly transitioning the integrated circuit from the first state of performance to the third state of performance based upon detecting the user initiated event." As discussed above, Fung does not disclose directly transitioning the integrated circuit from the first state of

performance to the third state of performance based upon detecting the user initiated event.

Thus, applicant submits that independent claim 20 is not anticipated by Fung under 35 U.S.C. § 102(b).

Given that claims 21-23 depend from and include the limitations of claim 20, applicants submit that claims 21-23 are not anticipated by Fung under 35 U.S.C. § 102(b).

Likewise, independent claim 24, as amended, includes the limitation “means for directly transitioning the integrated circuit from the first state of performance to the third state of performance based upon detecting the user initiated event.” As discussed above, Fung does not disclose means for directly transitioning the integrated circuit from the first state of performance to the third state of performance based upon detecting the user initiated event.

Given that claims 25-26 depend from and include the limitations of claim 24, applicants submit that claims 25-26 are not anticipated by Fung under 35 U.S.C. § 102(b).

Likewise, independent claim 27, as amended, includes the limitation “directly transitioning the integrated circuit from the first state of performance to the highest state of performance based upon detecting the user initiated event.” As discussed above, Fung does not disclose directly transitioning the integrated circuit from the first state of performance to the highest state of performance based upon detecting the user initiated event.

Given that claims 28-29 depend from and include the limitations of claim 27, applicants submit that claims 28-29 are not anticipated by Fung under 35 U.S.C. § 102(b).

Likewise, independent claim 30, as amended, includes the limitation “directly transition the first integrated circuit from the first state of performance to the third state

of performance based upon detecting a user initiated event.” As discussed above, Fung does not disclose directly transition the first integrated circuit from the first state of performance to the third state of performance based upon detecting a user initiated event.

Given that claims 31-33 depend from and include the limitations of claim 30, applicants submit that claims 31-33 are not anticipated by Fung under 35 U.S.C. § 102(b).

35 U.S.C. 103 Claim Rejections

Claims 9, 28, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fung in view of European Patent Number EP 0,708,398 by Hawkins et al. (hereinafter “Hawkins”).

Adding the teachings of Hawkins to Fung fails to cure Fung’s deficiencies nor renders the present claims obvious. Hawkins discusses a clock control unit that includes a power management unit to control the frequency of and application of clock signals to an integrated processor and its various subsystems. The power management unit includes a system monitor to monitor for predetermined (preset) system events in order to make a determination on whether to change the processor and subsystem clock state/frequency. Similar to Fung, Hawkins does not describe, “detecting a user initiated event” and “directly transitioning the integrated circuit from the first state of performance to the third state of performance based upon detecting the user initiated event irrespective of any preset/predetermined system events.”

Therefore, the independent claims, as amended, and their corresponding dependent claims are patentable over the cited art because neither Fung nor Hawkins, alone or in combination, discloses each and every limitation recited in the claims.

It is also respectfully submitted that Fung does not suggest a combination with Hawkins, and Hawkins does not suggest a combination with Fung because inadequate

motivation has been cited to suggest such a combination. It would be impermissible hindsight to combine Hawkins with Fung based on applicants' own disclosure.

Conclusion

It is respectfully submitted that in view of the amendments and remarks set forth herein, the rejections and objections have been overcome. Applicant reserves all rights with respect to the application of the doctrine equivalents. If there are any additional charges, please charge them to our Deposit Account No. 02-2666. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Nathan P. Elder

Nathan P. Elder
Reg. No. 55,150

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
Tel.: (408) 947-8200